

HAROLD M. JAFFE, ESQ.

CASB #57397

3521 Grand Avenue

Oakland, CA 94610

Tel: (510) 452-2610

Fax: (510) 452-9125

Attorney for Defendants JOHN SRAMEK and BERNADETTE SRAMEK, individually and as Trustees of the John S. Sramek, Jr. and Bernadette D. Sramek Revocable Living Trust and Harold M. Jaffe, In Pro Per

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALISE MALIKYAR, ROBERT JACOBSEN, CASE NO. C07-03533 WHA

Plaintiffs,

vs.

JOHN SRAMEK, BERNADETTE
*SRAMEK, HAROLD M. JAFFE, John S.
Sramek, Jr. and Bernadette D. Sramek
Revocable Living Trust, and DOES 1 - 100,

Defendants.

[PROPOSED]

**ORDER GRANTING ORDER SHORTENING
TIME TO HEAR DEFENDANTS' MOTION
TO DISMISS SET ON MARCH 13, 2008, OR
IN THE ALTERNATIVE, FOR THE COURT
TO DISMISS SUA SPONTE**

[FRCP 6]

CTRM: 9 - Hon. William Alsup

After consideration of the papers on file, and good cause appearing;

IT IS HEREBY ORDERED that defendants' ex parte application for an order shortening time to hear defendants' motion to dismiss set for March 13, 2008, is GRANTED and defendants' motion shall be heard on shortened time on _____, 2008, at _____ a.m. Any opposition to defendants' motion shall be filed no later than _____, 2008, and any reply shall be filed by defendants no later than _____, 2008.

After consideration of defendants' ex parte application for the Court to dismiss plaintiffs' Second Amended Complaint the papers on file, and good cause appearing;

IT IS HEREBY ORDERED that plaintiffs' Second Amended Complaint is hereby dismissed with prejudice *sua sponte* on the grounds that plaintiffs are not the real parties in interest.

DATED: _____

THE HONORABLE WILLIAM ALSUP
UNITED STATE DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28